



POLICY AND PROCEDURE
Montgomery County
Fire and Rescue Service

No. 03-07AM

DATE

05/1/06

TITLE

PROCEDURES FOR REQUESTS FROM STATE OF
MARYLAND SEN. WILLIAM H. AMOSS FIRE, RESCUE,
AND AMBULANCE FUND

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MONTGOMERY COUNTY FIRE AND RESCUE SERVICE POLICY
PROCEDURES FOR REQUESTS FROM STATE OF MARYLAND
SEN. WILLIAM H. AMOSS FIRE, RESCUE, AND AMBULANCE FUND
FOR USE BY THE LOCAL FIRE DEPARTMENTS
AND RESCUE SQUADS

Issued by: MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Policy No. 03-07AM

Supersedes Policy No. 03-07

Recommended and Approved by: Montgomery County Volunteer
Fire Rescue Association, Inc. (MCVFRA)

Authority: State of Maryland Article 38A, Section 45A-45D.; Montgomery County Code Section
21-2.(d)(2).; Hillandale vs. Montgomery County – Civil Case No. 24222.

Effective Date: May 1, 2006

SUMMARY: This policy amends the procedure facilitating the State of Maryland, Senator William H. Amoss Fund provided to the Local Fire and Rescue Departments (LFRDs) of Montgomery County, Maryland to ensure properly meeting the State's reporting requirements.

Sec. 1. **Purpose:** To establish a procedure for facilitating the application, allocation, and reporting process, as authorized by the State of Maryland, to provide Montgomery County's LFRDs with funding from the Senator William H. Amoss Fund.

Sec. 2. **Applicability:** This policy applies to the Montgomery County Fire and Rescue Service in the financial matters related to the Amoss Fund, and to all Montgomery County Local Fire and Rescue Departments that are the sole recipients of this fund.

Sec. 3. **Requirements:** The State of Maryland's criteria to receive, or distribute monies, and provide reports regarding the use of the Amoss Fund, must be adhered to in order to receive funding under Maryland Code, Public Safety, Title 8, Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

Sec. 4. **Definitions.**

a. **Amoss Fund.** (Senator William H. Amoss Fire, Rescue and Ambulance Fund). The State of Maryland grants funds as part of an established State aid program for the local



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fire and rescue departments of the State of Maryland. These non-County tax funds are distributed through a procedure established by the State.

- b. **Amoss Fund Committee ("Committee")**. The committee established by consent agreement by the Montgomery County Volunteer Fire Rescue Association (MCVFRA) as the authorized body to which all Local Fire and Rescue Departments (LFRDs) submit their requests for receipt of Sen. William H. Amoss Funds. The Amoss Fund Committee is authorized to recommend approval of Amoss Funds for the LFRDs, in accordance with this procedure.
- c. **Fire Chief**. The MCFRS Fire Chief who is appointed by the County Executive under Section 21-3 of the County Code, and serves as the Director of the Montgomery County Fire and Rescue Service.
- d. **Fire and Rescue Commission (FRC)**. The Commission that consists of seven members appointed by the County Executive, under Section 21-2 of the Montgomery County Code.
- e. **Local Fire and Rescue Department**. An individual fire or rescue squad corporation, authorized by Section 21-5 of the Montgomery County Code to provide fire and rescue services.
- f. **Montgomery County Volunteer Fire Rescue Association, Inc. (MCVFRA)**. An organization that represents the fire and rescue volunteers of Montgomery County, and the Local Fire and Rescue Departments.
- g. **Settlement Agreement**. Stipulation of settlement from Hillandale Vol. Fire Department, Inc. et al., vs. Montgomery County, Maryland, et al., Civil Action 24222, Circuit Court for Montgomery County, Maryland.

Sec. 5. Procedure.

- a. The **FRC** may recommend MCFRS system-wide priorities: to improve the efficiency and effectiveness of fire, rescue, and emergency medical services; to enhance the delivery of those services; to implement or demonstrate new or innovative service or delivery concepts; to improve training and operational readiness and capability; and to achieve strategic objectives. These priorities are recommended as guidelines.
- b. The **Amoss Fund Committee** will provide notification to the **LFRDs** regarding timeframes and application instructions for requesting funds. The **LFRDs'** applications



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to the **Amoss Fund Committee** must include justification for the items requested, as well as a status report of expenditures for the previous years' allocation, an explanation for any unspent **Amoss Funds** from prior years, and any other documentation that may be requested by the **Committee**.

- c. The **LFRDs** will prepare a list of resource requests, by priority, for submission to the **MCVFRA**. These submissions will be made according to the directions and deadlines set by the **MCVFRA**.
- d. Under the authority of **MCVFRA's** President and its Board of Directors, the **Amoss Fund Committee** will annually receive and review the **LFRDs'** requests for **Amoss-funded** projects for compliance with State and County laws. The **Committee** will make recommendations for allocation of requested funds submitted by the **LFRDs** to the **MCVFRA** Board of Directors for its final approval. After **MCVFRA** Board approval, the **Committee** will then notify the **LFRDs**, in writing, of **MCVFRA's** Board of Directors recommended allocations to be submitted to the **Fire Chief**. The **LFRDs** may appeal the amount of recommended allocated funds for its projects to the **MCVFRA's** Board of Directors, in accordance with **MCVFRA's** established procedures. At the conclusion of the appeal process, the **Amoss Fund Committee** will submit its final recommendations to the **MCVFRA** Board of Directors, which will then forward the recommendations to the **Fire Chief**. **MCVFRA's** President will work directly with the **Fire Chief** on any questions or concerns regarding the **Amoss Fund** requests.
- e. The **LFRDs** may submit, or may be required to submit, additional information to **MCVFRA's** President or to the **Fire Chief** to support their requests for **Amoss Funds**.
- f. The **Fire Chief** will receive and respond to the **MCVFRA** President's recommendations on the **Amoss Funds** in a timely manner. Any differences between the **MCVFRA's Amoss Fund** requests and those of the **Fire Chief** will be settled by the **MCVFRA** President and the **Fire Chief**. The **Fire Chief's** recommendations for the annual **Amoss Fund** allocations, with comments from the **FRC** and the **MCVFRA**, are transmitted to the County Executive and County Council. The County Executive considers the recommendations, and then submits the annual **Amoss Fund** allocation recommendations to the County Council for its approval and appropriation.
- g. **Amoss Funds** will be used by the **LFRDs** as an addition to, and will not be substituted for, money appropriated or required by **MCFRS** for fire and rescue service protection.
- h. According to Maryland Code, Public Safety Title 8, **Amoss Funds** must not be used for:



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1. administrative costs;
2. compensation or fringe benefits for employees or members of the County government, or fire and ambulance companies;
3. expenses for travel or meals;
4. fuel, utility, or routine maintenance costs of facilities or apparatus;
5. acquiring new or replacement fire hydrants, water mains, or emergency alarm systems not installed at a fire, rescue, or ambulance facility;
6. insurance;
7. fundraising activities;
8. refinancing any debt or other obligation incurred before July 1, 1985;
9. replacing or repairing eligible items to the extent that insurance proceeds are available;
10. costs associated with the "911" emergency telephone system;
11. land or interests in land; and
12. any other items determined by the State to be ineligible.

i. According to Maryland Code, Public Safety, Title 8, **Amoss Funds** may be used only for:

1. acquiring or rehabilitating fire or rescue equipment, including ambulances;
2. acquiring or rehabilitating capital equipment used in connection with fire or rescue equipment; and
3. rehabilitating facilities used primarily to house firefighting equipment, ambulances, and rescue vehicles.



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- j. The **Fire Chief** will prepare and transmit grant agreements to the **LFRDs** within forty-five workdays of receiving the County Council's approved appropriation resolution for the **Amoss Funds**.
- k. Upon County certification, any reports required by the State will be provided to **MCVFRA's** President in a timely manner. However, the County will submit all **Amoss Fund** reports to the State of Maryland in the required time frame established by the State.
- l. Official correspondence received or sent by the County, relating to the annual allocations of distribution of State **Amoss Funds**, will be provided to **MCVFRA's** President in a timely manner.
- m. The **MCVFRA** and **Amoss Fund Committee** intend that the **Amoss Funds** approved by the County Council and distributed to the **LFRDs** are to be expended within 12 months of distribution to the **LFRD**, unless the distribution is related to a defined long-term project, or an extension or amendment is requested by the **LFRD**, and recommended by the **MCVFRA** Board of Directors and approved by the **Fire Chief**.
- n. All items purchased with **Amoss Funds** become the sole property of the **LFRD**.
- o. All items purchased with **Amoss Funds** will be titled in accordance with the **settlement agreement**.

Sec. 6. Responsibilities.

- a. The **LFRDs** must provide complete and accurate information to the **Amoss Fund Committee**, along with any other information the **Committee requests**, to facilitate the appropriate distribution of funds.
- b. The **Fire Chief** must ensure the timely distribution of funds.
- c. The **Amoss Fund Committee** must provide the **MCVFRA**, the **Fire Chief**, and the **LFRDs**, with all related information on the **Amoss Fund**.

Sec. 7. Enforcement. The Chief Administrative Officer or designee must verify that the disposition of **Amoss Funds** to the **LFRDs** complies with the requirements established by the State of Maryland and this procedure.



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Sec. 8. **Effective Date.** This policy is effective on May 1, 2006.

Attest:

Thomas W. Carr, Jr., Chief
Montgomery County Fire and Rescue Service

4/26/06

Date

APPROVED AS TO FORM AND LEGALITY.
OFFICE OF COUNTY ATTORNEY
BY
DATE 4/19/06

Amoss policy 5-1-06 bf wp